

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

GARTOR KIKI BROWN,	:	
Plaintiff,	:	CIVIL ACTION
	:	
v.	:	No. 17-1138
	:	
CHESTER COUNTY, et al.,	:	
Defendants.	:	

ORDER

This 1st day of August, 2018, upon consideration of Defendants' Motions to Dismiss, ECF Nos. 29, 31, and 47, it is hereby **ORDERED** as follows:

1. Defendants Chester County et al.'s Motion to Dismiss, ECF No. 29, is **GRANTED** as to (1) Plaintiff's procedural due process claims regarding denial of his grievances, (2) Plaintiff's inadequate access to courts claim against Chester County Property Officers #1 and #2 because he has not alleged any actual injury relating to their handling of his legal papers, and (3) Plaintiff's municipal claims against Chester County, the Chester County Prison Warden, and Cpt. Miller alleging failure to train and supervise prison staff. These claims are **DISMISSED** without prejudice. Defendants' Motion is **DENIED** in all other respects.

2. Defendants Mulholland, Abello, and the City of Philadelphia's Partial Motion to Dismiss, ECF No. 31, is **GRANTED** as to Plaintiff's municipal claims against the City of Philadelphia because Plaintiff has failed to allege a policy or custom giving rise to any constitutional harm. These claims are **DISMISSED** without prejudice. Defendants' Motion is **DENIED** in all other respects.

3. Defendants C.E.C. et al.'s Motion to Dismiss, ECF No. 47, is **GRANTED** as to (1) Plaintiff's municipal claims against Defendants Warden Burns, C.E.C., Delaware County, and Delaware County Prison Board of Inspectors because he has not alleged a policy or custom that resulted in any constitutional deprivation, and (2) Plaintiff's claims against Nurse Bob, Nurse Alissa, Dr. Phillips, Kristen Grady, Stephanie Lafiata, Margaret Griffith, Shelly, and Raquel Madaro because Plaintiff has not alleged a serious medical need that required treatment. These claims are **DISMISSED** without prejudice. Defendants' Motion is **DENIED** in all other respects.

/s/ Gerald Austin McHugh
United States District Judge